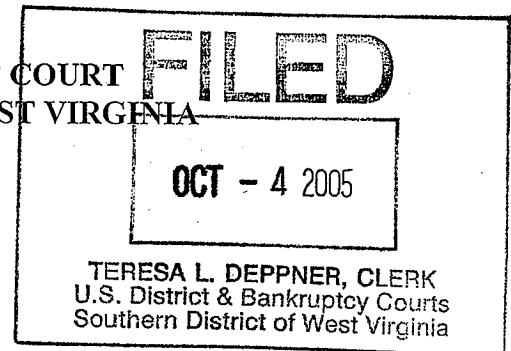


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON



**TERRY R. DURBIN,**

**Plaintiff,**

**v.**

**Civil Action No: 2:05-CV-00086**

**API OUTDOORS, INC., and its parent or  
successor corporation, OUTLAND SPORTS, INC.,  
and its parent or successor corporation,  
BASS PRO SHOP, and its parent or successor  
corporation, and WAL-MART STORES, INC.,  
a foreign corporation,**

**Defendants.**

**PLAINTIFF'S RULE 26(A) DISCLOSURES**

COMES NOW PLAINTIFF, Terry R. Durbin, by counsel and would pursuant to the  
Federal Rules of Civil Procedure and this Court's Order file his 26(a) Disclosure:

**26(a)(A):      The name and, if known, the address and telephone number of each  
individual likely to have discoverable information that the disclosing party may use to  
support its claims or defenses, unless solely for impeachment, identifying the subsection of  
the information.**

Plaintiff verily believes that the following individuals may have discoverable information.

(1) Treating physicians:

1. Jackson General Hospital  
Pinnell Street  
P.O. Box 702  
Ripley, WV 25271
2. Charleston Area Medical Center  
3200 MacCorkle Avenue, SE  
Charleston, WV 25304
3. Dr. James G. Gaal  
Route 1, Box 61B  
Ripley, WV 25271
4. WVU Physicians of Charleston  
1201 Washington Street, East  
Suite 208  
Charleston, WV 25301
5. Thoracic & Cardiovascular Associates, Inc.  
CAMC Medical Office Building, Suite 411  
3100 MacCorkle Avenue, SE  
Charleston, WV 25304

(2) Terry Durbin  
1132 Flatwoods Road  
Ravenswood, WV 26164  
Plaintiff

(3) Pamela Durbin  
1132 Flatwoods Road  
Ravenswood, WV 26164  
Plaintiff's wife

(4) Thomas Rocklen  
1132 Flatwoods Road  
Ravenswood, WV 26164  
Plaintiff's son

- (5) Thomas Durbin  
Route 1, Box 38i  
Ravenswood, WV 26164  
Plaintiff's father
- (6) Pamela Patterson  
Route 1, Box 38i  
Ravenswood, WV 26164  
Plaintiff's sister

**26(a)(B): A copy of, or a description by category and location of, all documents, data compilations, and tangible things that re in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.**

- (1) Tree stand
- (2) Medical and billing records
- (3) Employment records (salary)

**26(a)(C): A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.**

Plaintiff would verily advise that specific liquidated damages include medical bills for services provided to plaintiff in addition to lost wages and general damages for pain and

suffering. Plaintiff is seeking to assemble all documents relating to the liquidated portion of damages and will provide defendants copies of the same when fully assembled.

**26(a)(D): For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

None.

TERRY R. DURBIN  
By Counsel



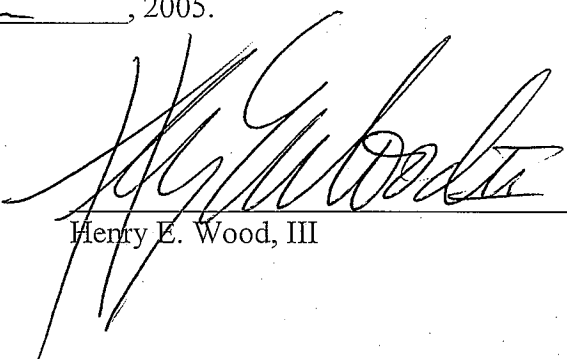
HENRY E. WOOD, III, ESQUIRE  
WOOD LAW OFFICE, L.C.  
3818 MacCorkle Avenue  
P.O. Box 4448  
Charleston, WV 25364  
WV State Bar No.: 4117

**CERTIFICATE OF SERVICE**

I, Henry E. Wood, III, counsel for TERRY R. DURBIN, do hereby certify that I have served the foregoing, PLAINTIFF'S RULE 26(A) DISCLOSURES, by sending via facsimile and by mailing, postage prepaid, a true copy to the following address:

James D. McQueen, Jr., Esquire  
Kelly C. Morgan, Esquire  
McQueen, Harmon & Murphy, L.C.  
P.O. Box 1831  
Charleston, WV 25327-1831  
Facsimile Number: 342-4277

Dated this 3 day of October, 2005.

  
Henry E. Wood, III